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10/729,772	12/08/2003	Erik de Groot	120 05001US	3423

128 7590 02/13/2007		EXAMINER
HONEYWELL INTERNATIONAL INC.		DAO, THUY CHAN
101 COLUMBIA ROAD		

ART UNIT	PAPER NUMBER
2192	

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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

Office Action Summary	Application No.	Applicant(s)
	10/729,772	DE GROOT ET AL.
	Examiner	Art Unit
	Thuy Dao	2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 November 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-4 and 6-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-4 and 6-25</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>08 December 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the amendment filed on November 9, 2006.

2. Claims 1-4 and 6-25 have been examined.

Response to Amendments

3. Per Applicants' request, claims 1, 10, 12, 18, 22, 24, and 25 have been amended and claim 5 has been canceled.

4. The objection to claim 10 is withdrawn in view of Applicants' amendments.

Response to Arguments

5. The Applicants are thanked for a thorough reply. Applicants' arguments with respect to claims 1-4 and 6-25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objection

6. Claim 22, line 16, the phrase is considered to read as - -setting said level of support to basic [[is]] if said option is selected, wherein ...- -.

    Appropriate correction is required.

Claim Rejections – 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 12-17 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,754,885 to Dardinski et al. (art made of record, hereinafter "Dardinski").

Claim 12:

Dardinski discloses *a process control system, comprising:*

a computer comprising a source control system with a selectable level of source control for at least one control strategy (e.g., selectable level of source control as Control Levels, col.70:32-39; col.70: 46 – coo.71: 25; a control strategy as Control Algorithm object, col.2: 25-42, col.9: 33-43); *and*

a network coupling said computer to a controller that communicates with one or more devices to provide process control (e.g., FIG. 1, Network 14, Workstation 11, Controllers 10A-B, Device 12, col.8: 23-59; FIG. 2, process control in blocks 29-32 to control Valve 18, Tanks 20 and 22, col.9: 20-29);

wherein said at least one control strategy in said source control system is loadable from said computer to said controller to provide said process control according to said control strategy (e.g., Control Algorithm object (control strategy) is downloaded to field controllers/devices to provide control process on Valve 18, Tanks 20 and 22, col. 2: 25-42; col.9: 33-43, 20-29).

Claim 13:

The rejection of claim 12 is incorporated. Dardinski also discloses *a database to store source control information associated with said at least one control strategy, including a version number* (e.g., col.79: 21-25; col.77: 51-60).

Claim 14:

The rejection of claim 13 is incorporated. Dardinski also discloses *said selectable level of source control is no source control and further wherein a version number is entered manually when said at least one control strategy is saved* (e.g., col.54: 39-64).

Claim 15:

The rejection of claim 13 is incorporated. Dardinski also discloses *said selectable level of source control is basic source control and further wherein a version number is automatically incremented when said at least one control strategy is saved* (e.g., col.54: 65 – col.55: 14).

Claim 16:

The rejection of claim 13 is incorporated. Dardinski also discloses *said selectable level of source control is full source control and further wherein a version number is automatically incremented when said at least one control strategy is checked-in* (e.g., col.55: 23-63).

Claim 17:

The rejection of claim 12 is incorporated. Dardinski also discloses *said selectable level of source control is selected from the group consisting of: a preference, a license, an installation configuration, and a user interface* (e.g., col.70: 32-39; col.70: 46 – col.71: 25).

Claim Rejections – 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 1-11 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dardinski in view of US Patent No. 6,971,093 to Spring (art made of record, hereinafter "Spring").

Claim 1:

Dardinski discloses *a method of source control, comprising:*

operating a source control system on a computer that is coupled via a network to a controller that communicates with one or more devices to provide process control (e.g., FIG. 1, Process Control System (source control system) resides on Workstation 11, col.8: 35-43; Controllers 10A-B, col.8: 44-59; FIG. 2, Controllers 10A-B communicates with Devices 12A, Sensors 24 and 26 to provide process control on Valve 18, Tanks 20 and 22, col.9: 20-29);

enabling in said source control system a level of source control from a selection of at least two levels (e.g., at least two levels in Revision Levels, col.59: 49-54; Version History, col.59: 56 – col.60: 31); *and*

automatically or manually setting a version number of an object of said source control system (e.g., an object as Control Algorithm object, col.79: 21-25, col.77: 51-60; FIGs. 46-47, setting version number, col.53: 54 – col.54: 38),

wherein said object is a control strategy loadable to said controller to provide said process control (e.g., col.2: 25-42; col.9: 33-43).

Dardinski discloses different Revision levels (col.59: 49-54), Object Check-Out (FIG. 46), Object Check-In (FIG. 47), Version History (FIG. 52), but does not explicitly disclose *[automatically or manually setting a version number of an object of said source control system] depending on said level.*

However, in an analogous art of version control, further discloses *automatically or manually setting a version number of an object depending on level* (e.g., col.9: 16-46, manually setting a version number when module is newly created and automatically setting a version number when said module is modified/updated).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the teaching of Spring into that of Dardinsky. One would have been motivated to do so to correctly identify different versions of a software module as suggested by Spring (e.g., col.3: 48 – col.4: 49).

Claim 2:

The rejection of claim 1 is incorporated. Dardinski also discloses *providing a capability to switch said level of source control to another level* (e.g., col.59: 49-54, col.59: 56 – col.60: 31).

Claim 3:

The rejection of claim 1 is incorporated. Dardinski also discloses *automatically setting said version number is based on a degree of change to said object* (e.g., FIGs. 46-47, col.53: 54 – col.54: 38).

Claim 4:

The rejection of claim 1 is incorporated. Dardinski also discloses *storing attributes associated with said object in a database* (e.g., col.79: 21-25; col.77: 51-60).

Claim 6:

The rejection of claim 1 is incorporated. Dardinski also discloses *said at least two levels are level none, level basic, and level full* (e.g., col.70: 46 – col.71: 24).

Claim 7:

The rejection of claim 1 is incorporated. Dardinski also discloses *for said level none, said method further comprises: receiving user-entered text for said version number; setting a created-by name set upon receiving a first save changes request; setting a modified-by name upon receiving a save changes request; setting a date-created date upon receiving said first save changes request; and setting a version date upon receiving said save changes request* (e.g., FIG. 48, Revision Editor, col.54: 39-64; FIG. 49: Revision Dialog Box, col.54: 65 – col.55: 14).

Claim 8:

The rejection of claim 1 is incorporated. Dardinski also discloses *for said level basic, said method further comprises: automatically incrementing said version number upon receiving a save changes request, including a first save changes request; setting a created-by name upon receiving said first save changes request; setting a modified-by name upon receiving said save changes request, including a first save changes request; setting a date-created date upon receiving said first save changes request; setting a version date upon receiving said save changes request, including a first save changes request; and displaying said version number* (e.g., FIG. 50: col.55; 23-63).

Claim 9:

The rejection of claim 1 is incorporated. Dardinski also discloses *said version number is incremented differently for minor changes than for major changes* (e.g., col.55: 65 – col.56: 48).

Claim 10:

The rejection of claim 1 is incorporated. Dardinski also discloses *for said level full, said method further comprises: supporting a qualification life cycle model; providing a version control system toolbar and menu; automatically incrementing said version number upon check-in, including a first check-in wherein said version number is generated; displaying said version number; setting a created-by name upon said first check-in; setting a modified-by name upon said check-in, including said first check-in; in; setting a date-created date upon said check-in, including said first check- setting a version date upon said check-in; receiving a check-in comment; and providing a version history and audit trail* (e.g., FIGs. 52-53: col.59: 57 – col.60: 31).

Claim 11:

The rejection of claim 10 is incorporated. Dardinski also discloses *said version number is incremented differently for minor changes than for major changes, according to user preferences* (e.g., col.55: 65 – col.56: 48).

Claim 18:

As set forth in claims 1 and 12, Dardinski discloses *a method for providing a source control system for a process control system, comprising: operating said source control system on a computer that is coupled via a network to a controller that communicates with one or more devices to provide process control; receiving in said source control system a selection from at least two levels of source control for an object of said source control system; providing a user-enterable version number or an automatically incremented version number when an-said object is stored, wherein said object is a control strategy loadable to said controller to provide said process control.*

Dardinski does not explicitly disclose *providing a user-enterable version number when an-said object is stored, if said selection is a first level; and providing an automatically incremented version number when an-said object is stored, if said selection is a second level.*

However, in an analogous art of version control, Spring further discloses *providing a user-enterable version number when said object is stored, if said selection is a first level and providing an automatically incremented version number when said object is stored, if said selection is a second level* (e.g., col.9: 16-46, manually setting a version number when module is newly created (first level) and automatically setting a version number when said module is modified/updated (second level)).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the teaching of Spring into that of Dardinsky. One would have been motivated to do so to correctly identify different versions of a software module as suggested by Spring (e.g., col.3: 48 – col.4: 49).

Claim 19:

The rejection of claim 18 is incorporated. Dardinski also discloses *providing an automatically incremented version number when said object is checked-in, if said selection is a third level* (e.g., col.55: 23-63).

Claim 20:

The rejection of claim 18 is incorporated. Dardinski also discloses *changing said selection to another of said at least two levels of source control* (e.g., col.54: 39-64; col.54: 65 – col.55: 14).

Claim 21:

The rejection of claim 18 is incorporated. Dardinski also discloses *updating attributes of said object based on said selection* (e.g., col.53; 54 – col.54: 38).

11. Claims 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dardinski in view of US Patent Publication No. 2003/0156719 A1 to Cronce (art made of record, hereinafter "Cronce").

Claim 22:

Dardinski discloses *a computer readable medium having executable instructions stored thereon to perform a method of providing configurable levels of support for a source control system, said method comprising:*

operating said source control system on a computer that is coupled via a network to a controller that communicates with one or more devices to provide process control (e.g., FIG. 1, col.8: 23-59);

at least one control strategy of said source control system; wherein said at least one control strategy is loadable from said computer to said controller to provide said process control according to said at least one control strategy (e.g., col.9: 20-29; col.2: 25: 42; col.9: 33-43).

Dardinski does not explicitly disclose *receiving a request for a level of support, determining whether a full level of support is licensed, determining whether an option for a basic level of support is selected, setting said level of support to full, if said full level of support is licensed, and setting said level of support to basic is said option is selected.*

However, in an analogous art of providing licensed software, Cronce further discloses *receiving a request for a level of support, determining whether a full level of support is licensed, determining whether an option for a basic level of support is selected, setting said level of support to full, if said full level of support is licensed, and setting said level of support to basic is said option is selected* (e.g., [0002], [0037], [0058], [0060]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the teaching of Cronce into that of Dardinsky. One would have been motivated to do so to provide licensed software and control said licensed software usage based on full, partial, basic, or trial levels as suggested by Cronce (e.g., [0002], [0010-0012]).

Claim 23:

The rejection of claim 22 is incorporated. Cronce further discloses *a default for said level of support is none* (e.g., [0037], [0058]).

Claim 24:

Dardinsky discloses *a computer readable medium having executable instructions stored thereon to perform a method of changing configurable levels of support for a source control system, said method comprising:*

operating said source control system on a computer that is coupled via a network to a controller that communicates with one or more devices to provide process control (e.g., FIG. 1, col.8: 35-59; FIG. 2, col.9: 20-29);

an object of source control, which is loadable from said computer to said controller to provide said process control according to said object (e.g., col.2: 25-42; col.9: 33-43).

Cronce further discloses *receiving a request from a user to change a level, determining whether a full level is licensed, determining whether said request is to change from none to basic, determining whether said request is to change from basic to*

none, performing said request when said request is to change from none to basic or from basic to none, and storing a new level (e.g., [0002], [0037], [0058], [0060], full, partial, basic, trial levels; user stops using software after trial period (none) or trial period expires).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the teaching of Cronce into that of Dardinsky. One would have been motivated to do so to provide licensed software and control said licensed software usage based on full, partial, basic, or trial levels as suggested by Cronce (e.g., [0002], [0010-0012]).

Claim 25:

Dardinsky discloses *a computer readable medium having executable instructions stored thereon to perform a method of updating version attributes based on a level of source control, said method comprising:*

operating said source control system on a computer that is coupled via a network to a controller that communicates with one or more devices to provide process control (e.g. FIG. 1, col.8: 35-59);

an object of said control system (e.g., col.2: 25-42);

determining whether said object is new (e.g., col.53: 54 – col.54: 38);

setting a version number to a first version number, when said object is new (e.g., FIG. 52, col.59: 57 – col.60: 5);

updating version attributes of said object (e.g., col.53: 54 – col.54: 38); *and*

incrementing said version number, when said object is not new, wherein said object is loadable from said computer to said controller to provide said process control according to said object (e.g., FIG. 45, col.52: 7-14; col.59: 57 – col.60; 5).

Cronce further discloses *determining whether an object is licensed, determining whether a basic level is selected, receiving a save changes request for said object,*

updating version attributes of said object according to whether said full level is licensed and whether said basic level is selected (e.g., [0002], [0037], [0058], [0060]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the teaching of Cronce into that of Dardinsky. One would have been motivated to do so to provide licensed software and control said licensed software usage based on full, partial, basic, or trial levels as suggested by Cronce (e.g., [0002], [0010-0012]).

Conclusion

12. Applicants' amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication should be directed to examiner Thuy Dao (Twee), whose telephone is (571) 272 8570. The examiner can normally be reached on Monday, Tuesday, Thursday, and Friday from 6:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam, can be reached at (571) 272 3695.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273 8300.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is (571) 272 2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Dao

TUAN DAM
SUPERVISORY PATENT EXAMINER